

Message Text

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ACTION EB-07

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FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 4920

INFO AMEMBASSY RIO DE JANEIRO

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PASS R. BOURDON, MARITIME ADMINISTRATION

RIO DE JANEIRO FOR MARATT KINSELLA

E.O. 11652: N/A

TAGS: EWWT, VE

SUBJECT: PREFERENTIAL TREATMENT TO VENEZUELAN CHARTERS

REF: CARACAS 11237

1. EMBASSY OFFICER AND MARATT MET WITH LEO MOOY, MANAGER OF BOULTON'S STEAMSHIP DIVISION (AGENT FOR PRUDENTIAL), AT MOOY'S REQUEST, TO DISCUSS BERTHING PREFERENCE BEING GRANTED VENEZUELAN FLAG AND CHARTERED VESSELS WHICH, IN PART, IS RESPONSIBLE FOR UNPRECEDENTED CONGESTION AT THE NATION'S PORTS. ALL VESSELS UNDER VENEZUELAN CHARTER REGARDLESS OF FLAG STATUS AND VENEZUELAN PRIVATE FLAG VESSELS ARE RECEIVING THE BENEFITS OF THE DISCRIMINATORY ACTION, IN FLAGRANT VIOLATION OF INTERNATIONAL PORT ETIQUETTE WHICH RECOGNIZES THE PRINCIPLE OF "FIRST COME FIRST SERVED". REPRESENTATIVE OF NYK, JAPAN LINE, HAD INFORMED MOOY THAT DURING A MEETING BETWEEN ADM. BUVDET, PRESIDENT OF CAVN, AND THE NYK REPRESENTATIVE, THE

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ADMIRAL EXPRESSED THE VIEW THAT THE BERTHING QUESTION

HAS BEEN SERIOUSLY DISCUSSED AMONG VENEZUELAN GOVERNMENT OFFICIALS AND THAT HE WAS OF THE OPINION THAT THESE FLAGRANT BERTHING PREFERENCES WOULD BE ELIMINATED WITHIN A FEW DAYS.

2. MOOY'S STATEMENT WAS CORROBORATED BY A CONVERSATION BETWEEN ECONOMIC COUNSELOR AND CAPTAIN RIOS OF CAVN. CAPT. RIOS STATED THAT HE WAS SURE THAT THE POLICY WOULD BE REVISED QUICKLY. HE ADDED THAT CAVN HAD NOT BEEN AWARE THAT THIS ACTION WAS BEING PLANNED UNTIL AFTER IT HAD ALREADY GONE INTO EFFECT. HE CONSIDERED THIS PREFERENTIAL TREATMENT TO BE AN OVERZEALOUS REACTION TO CAVN AND VENEZUELAN LINE COMPLAINTS OF BERTHING DIFFICULTIES BY THE MINISTRY OF COMMUNICATIONS AND THE NATIONAL PORT INSITUTE. BUT, HE POINTED OUT THAT EVEN IF DISCRIMINATION IN FAVOR OF CHARTER AND VENEZUELAN FLAG VESSELS IS ELIMINATED, THE FORMER DISCRIMINATORY POLICY OF BERTHING PREFERENCE FOR CAVN-OWNED VESSELS WOULD REMAIN IN EFFECT.

3. THE CHAMBERS OF COMMERCE OF LA GUAIRA AND PUERTO CABELLO AS WELL AS THE NAVIGATION ASSOCIATION OF MARACAIBO HAVE FILED PROTESTS THAT THE VENEZUELAN GOVERNMENT IS VIOLATING ITS OWN LAWS BY PREFERENTIAL TREATMENT TO CHARTERED VESSELS. THE ACCUSATIONS THAT VENEZUELA HAS BROKEN ITS PILOTAGE LAW UNDER ARTICLES 9 AND 10 AND ITS NAVIGATION LAW UNDER ARTICLE 48, THUS FAR, HAVE BEEN TO NO AVAIL. LEOPOLDO SUCRE FIGARELLA, MINISTER OF COMMUNICATIONS, HAS REFERENCED THE VERY SAME ARTICLES OF VENEZUELAN LAW TO JUSTIFY HIS DISCRIMINATORY POLICY ARGUING THAT ALL, EXCEPT VENEZUELAN COMMUNICATIONS OFFICIALS, ARE MISINTERPRETING SUBJECT LAWS.

4. EMBASSY IS SEEKING CLARIFICATION GOV INTENTIONS REGARDING RESCISSION OF DISCRIMINATORY BERTHING PREFERENCE. VAKY

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